

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

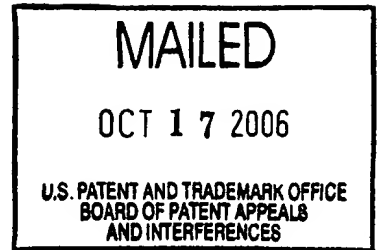
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Ex parte KELAN C. SILVESTER

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Application No. 09/974,923

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on October 3, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

A review of the file reveals that it is not clear from the record whether the examiner considered the amendment filed February 16, 2006. A written communication notifying appellant of the response to the amendment is required.

Application No. 09/974,923

**ORDERED** that the application is returned to the Examiner  
for:

- 1) consideration of the Amendment filed February 16, 2006, with appropriate written notification by the Examiner to appellant of such consideration; and
- 2) such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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